

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (310) 207-3800

INTELLECTUAL PROPERTY LAW
12400 WILSHIRE BOULEVARD, 7TH FLOOR
LOS ANGELES, CA 90025

FACSIMILE: (310) 820-5988

RECEIVED
CENTRAL FAX CENTER

FACSIMILE COVER SHEET

NOV 12 2003

OFFICIAL

Deliver to: Son V. Nguyen, USPTO

Art Group: 2839

Facsimile No.: 703-872-9318

Date: November 11, 2003

From: Angelo J. Gaz, Reg. No. 45,907

Our Docket No.: 42390P12299

Number of pages 15 including this sheet.

Application No.: 10/077,436

Filing Date: 2/14/2002

Docket Due Date(s): 11/12/2003 | 12/12/2003

Enclosed are the following documents

- Issue Fee Transmittal
- Notice of Appeal
- Petition for: _____
- Request for Continued Examination (RCE)
- Reply Brief (____ pgs)
- Request & Certification Under 35 USC 122(b)(2)(B)(i)
- Request to Rescind Previous Nonpublication Request
- Response to Notice of Missing Parts & Formalities Letter
- Response to Written Opinion (____ pgs)
- Terminal Disclaimer
- Transmittal of Publication Fee Due
- Transmittal Letter

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

www.english-test.net

11/11/2003

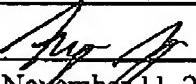
Date

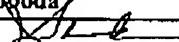
Confidentiality Note: The documents accompanying this facsimile transmission contain information from the law firm of Blakely, Sokoloff, Taylor & Zafman which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

If you do not receive all the pages, or if there is any difficulty in receiving, please call: (310) 207-3800 and ask for Jean Svoboda.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application No.	10/077,436
Total Number of Pages in This Submission	15	Filing Date	February 14, 2002
		First Named Inventor	Jean-Marc Verdiel
		Art Unit	2839
		Examiner Name	Son V. Nguyen
		Attorney Docket Number	42390P12299

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; height: 40px;">Facsimile Transmittal</div>
<div style="border: 1px solid black; padding: 5px; height: 40px;">Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Angelo J. Gaz, Reg. No. 45,907 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	November 11, 2003

CERTIFICATE OF MAILING/TRANSMISSION	
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.	
Type or printed name	Jean Svoboda
Signature	
Date	November 11, 2003

Based on PTO/SB/21 (08-03) as modified by Blakely, Sokoloff, Taylor & Zafman (wir) 09/11/2003.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

FEET TRANSMITTAL for FY 2003		Complete if Known																																																																																																																																																						
Effective 01/01/2003. Patent fees are subject to annual revision.		Application Number	10/077,436																																																																																																																																																					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Filing Date	February 14, 2002																																																																																																																																																					
TOTAL AMOUNT OF PAYMENT (\$)		0.00	First Named Inventor	Jean-Marc Verdiell																																																																																																																																																				
		Examiner Name	Son V. Nguyen																																																																																																																																																					
		Group/Art Unit	2839																																																																																																																																																					
		Attorney Docket No.	42390P12299																																																																																																																																																					
METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																						
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account		3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: left;">Large Entity</th> <th colspan="2" style="text-align: left;">Small Entity</th> <th rowspan="2" style="text-align: right; vertical-align: middle;">FeePaid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>65</td> <td>Surcharge - late filing fee or cash</td> </tr> <tr> <td>1052</td> <td>50</td> <td>2052</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> </tr> <tr> <td>2053</td> <td>130</td> <td>2053</td> <td>130</td> <td>Non-English specification</td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>1812</td> <td>2,520</td> <td>For filing a request for ex parte reexamination</td> </tr> <tr> <td>1804</td> <td>920 *</td> <td>1904</td> <td>920 *</td> <td>Requesting publication of SIR prior to Examiner action</td> </tr> <tr> <td>1805</td> <td>1,840 *</td> <td>1805</td> <td>1,840 *</td> <td>Requesting publication of SIR after Examiner action</td> </tr> <tr> <td>1251</td> <td>110</td> <td>2251</td> <td>55</td> <td>Extension for reply within first month</td> </tr> <tr> <td>1252</td> <td>430</td> <td>2252</td> <td>210</td> <td>Extension for reply within second month</td> </tr> <tr> <td>1253</td> <td>950</td> <td>2253</td> <td>475</td> <td>Extension for reply within third month</td> </tr> <tr> <td>1254</td> <td>1,480</td> <td>2254</td> <td>740</td> <td>Extension for reply within fourth month</td> </tr> <tr> <td>1255</td> <td>1,210</td> <td>2255</td> <td>605</td> <td>Extension for reply within fifth month</td> </tr> <tr> <td>1404</td> <td>330</td> <td>2401</td> <td>185</td> <td>Notice of Appeal</td> </tr> <tr> <td>1402</td> <td>330</td> <td>2402</td> <td>165</td> <td>Filing a brief in support of an appeal</td> </tr> <tr> <td>1403</td> <td>290</td> <td>2403</td> <td>145</td> <td>Request for oral hearing</td> </tr> <tr> <td>1451</td> <td>1,510</td> <td>2451</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> </tr> <tr> <td>1452</td> <td>110</td> <td>2452</td> <td>55</td> <td>Petition to revive - unavoidable</td> </tr> <tr> <td>1453</td> <td>1,330</td> <td>2453</td> <td>865</td> <td>Petition to revive - unintentional</td> </tr> <tr> <td>1501</td> <td>1,330</td> <td>2501</td> <td>555</td> <td>Utility issue fee (or reissue)</td> </tr> <tr> <td>1502</td> <td>480</td> <td>2502</td> <td>240</td> <td>Design issue fee</td> </tr> <tr> <td>1503</td> <td>640</td> <td>2503</td> <td>320</td> <td>Plant issue fee</td> </tr> <tr> <td>1460</td> <td>130</td> <td>2460</td> <td>130</td> <td>Petitions to the Commissioner</td> </tr> <tr> <td>1807</td> <td>50</td> <td>1807</td> <td>50</td> <td>Processing fee under 37 CFR 1.17(q)</td> </tr> <tr> <td>1806</td> <td>180</td> <td>1806</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> </tr> <tr> <td>8021</td> <td>40</td> <td>8021</td> <td>40</td> <td>Recording each patent assignment per property (list no. of properties)</td> </tr> <tr> <td>1809</td> <td>770</td> <td>1809</td> <td>385</td> <td>Filing a submission after final rejection (37 CFR § 1.128(d))</td> </tr> <tr> <td>1810</td> <td>770</td> <td>2810</td> <td>385</td> <td>For each additional invention to be examined (37 CFR § 1.128(b))</td> </tr> <tr> <td>1801</td> <td>770</td> <td>2801</td> <td>385</td> <td>Request for Continued Examination (RCE)</td> </tr> <tr> <td>1802</td> <td>800</td> <td>1802</td> <td>800</td> <td>Request for expedited examination of a design application</td> </tr> </tbody> </table>		Large Entity		Small Entity		FeePaid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or cash	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	2053	130	2053	130	Non-English specification	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	1804	920 *	1904	920 *	Requesting publication of SIR prior to Examiner action	1805	1,840 *	1805	1,840 *	Requesting publication of SIR after Examiner action	1251	110	2251	55	Extension for reply within first month	1252	430	2252	210	Extension for reply within second month	1253	950	2253	475	Extension for reply within third month	1254	1,480	2254	740	Extension for reply within fourth month	1255	1,210	2255	605	Extension for reply within fifth month	1404	330	2401	185	Notice of Appeal	1402	330	2402	165	Filing a brief in support of an appeal	1403	290	2403	145	Request for oral hearing	1451	1,510	2451	1,510	Petition to institute a public use proceeding	1452	110	2452	55	Petition to revive - unavoidable	1453	1,330	2453	865	Petition to revive - unintentional	1501	1,330	2501	555	Utility issue fee (or reissue)	1502	480	2502	240	Design issue fee	1503	640	2503	320	Plant issue fee	1460	130	2460	130	Petitions to the Commissioner	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	1806	180	1806	180	Submission of Information Disclosure Stmt	8021	40	8021	40	Recording each patent assignment per property (list no. of properties)	1809	770	1809	385	Filing a submission after final rejection (37 CFR § 1.128(d))	1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.128(b))	1801	770	2801	385	Request for Continued Examination (RCE)	1802	800	1802	800	Request for expedited examination of a design application
Large Entity		Small Entity		FeePaid																																																																																																																																																				
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																					
1051	130	2051	65	Surcharge - late filing fee or cash																																																																																																																																																				
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																				
2053	130	2053	130	Non-English specification																																																																																																																																																				
1812	2,520	1812	2,520	For filing a request for ex parte reexamination																																																																																																																																																				
1804	920 *	1904	920 *	Requesting publication of SIR prior to Examiner action																																																																																																																																																				
1805	1,840 *	1805	1,840 *	Requesting publication of SIR after Examiner action																																																																																																																																																				
1251	110	2251	55	Extension for reply within first month																																																																																																																																																				
1252	430	2252	210	Extension for reply within second month																																																																																																																																																				
1253	950	2253	475	Extension for reply within third month																																																																																																																																																				
1254	1,480	2254	740	Extension for reply within fourth month																																																																																																																																																				
1255	1,210	2255	605	Extension for reply within fifth month																																																																																																																																																				
1404	330	2401	185	Notice of Appeal																																																																																																																																																				
1402	330	2402	165	Filing a brief in support of an appeal																																																																																																																																																				
1403	290	2403	145	Request for oral hearing																																																																																																																																																				
1451	1,510	2451	1,510	Petition to institute a public use proceeding																																																																																																																																																				
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																				
1453	1,330	2453	865	Petition to revive - unintentional																																																																																																																																																				
1501	1,330	2501	555	Utility issue fee (or reissue)																																																																																																																																																				
1502	480	2502	240	Design issue fee																																																																																																																																																				
1503	640	2503	320	Plant issue fee																																																																																																																																																				
1460	130	2460	130	Petitions to the Commissioner																																																																																																																																																				
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)																																																																																																																																																				
1806	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																				
8021	40	8021	40	Recording each patent assignment per property (list no. of properties)																																																																																																																																																				
1809	770	1809	385	Filing a submission after final rejection (37 CFR § 1.128(d))																																																																																																																																																				
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.128(b))																																																																																																																																																				
1801	770	2801	385	Request for Continued Examination (RCE)																																																																																																																																																				
1802	800	1802	800	Request for expedited examination of a design application																																																																																																																																																				
The Commissioner is authorized to: (check all that apply)		Other fee (specify) _____																																																																																																																																																						
<input type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account		* Reduced by Basic Filing Fee Paid																																																																																																																																																						
FEE CALCULATION		SUBTOTAL (3) (\$)																																																																																																																																																						
1. BASIC FILING FEE		SUBTOTAL (1) (\$)																																																																																																																																																						
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: left;">Large Entity</th> <th colspan="2" style="text-align: left;">Small Entity</th> <th rowspan="2" style="text-align: right; vertical-align: middle;">FeePaid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1001</td> <td>770</td> <td>2001</td> <td>385</td> <td>Utility filing fee</td> </tr> <tr> <td>1002</td> <td>340</td> <td>2002</td> <td>170</td> <td>Design filing fee</td> </tr> <tr> <td>1003</td> <td>530</td> <td>2003</td> <td>265</td> <td>Plant filing fee</td> </tr> <tr> <td>1004</td> <td>770</td> <td>2004</td> <td>385</td> <td>Reissue filing fee</td> </tr> <tr> <td>1005</td> <td>160</td> <td>2005</td> <td>80</td> <td>Provisional filing fee</td> </tr> </tbody> </table>		Large Entity		Small Entity		FeePaid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1001	770	2001	385	Utility filing fee	1002	340	2002	170	Design filing fee	1003	530	2003	265	Plant filing fee	1004	770	2004	385	Reissue filing fee	1005	160	2005	80	Provisional filing fee	SUBTOTAL (1) (\$)																																																																																																																				
Large Entity		Small Entity		FeePaid																																																																																																																																																				
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																					
1001	770	2001	385	Utility filing fee																																																																																																																																																				
1002	340	2002	170	Design filing fee																																																																																																																																																				
1003	530	2003	265	Plant filing fee																																																																																																																																																				
1004	770	2004	385	Reissue filing fee																																																																																																																																																				
1005	160	2005	80	Provisional filing fee																																																																																																																																																				
Total Claims		31	31	= \$0.00																																																																																																																																																				
Independent Claims		4	4	= \$0.00																																																																																																																																																				
Multiple Dependent																																																																																																																																																								
Large Entity		Small Entity																																																																																																																																																						
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: left;">Extra Claims</th> <th colspan="2" style="text-align: left;">Fee from below</th> <th rowspan="2" style="text-align: right; vertical-align: middle;">FeePaid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1202</td> <td>18</td> <td>2202</td> <td>9</td> <td>Claims in excess of 20</td> </tr> <tr> <td>1201</td> <td>85</td> <td>2201</td> <td>43</td> <td>Independent claims in excess of 3</td> </tr> <tr> <td>1203</td> <td>290</td> <td>2203</td> <td>145</td> <td>Multiple Dependent claim, if not paid</td> </tr> <tr> <td>1204</td> <td>65</td> <td>2204</td> <td>43</td> <td>**Reissues independent claims over original patent</td> </tr> <tr> <td>1205</td> <td>18</td> <td>2206</td> <td>8</td> <td>**Reissues claims in excess of 20 and over original patent</td> </tr> </tbody> </table>		Extra Claims		Fee from below		FeePaid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1202	18	2202	9	Claims in excess of 20	1201	85	2201	43	Independent claims in excess of 3	1203	290	2203	145	Multiple Dependent claim, if not paid	1204	65	2204	43	**Reissues independent claims over original patent	1205	18	2206	8	**Reissues claims in excess of 20 and over original patent	SUBTOTAL (2) (\$)																																																																																																																				
Extra Claims		Fee from below		FeePaid																																																																																																																																																				
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																					
1202	18	2202	9	Claims in excess of 20																																																																																																																																																				
1201	85	2201	43	Independent claims in excess of 3																																																																																																																																																				
1203	290	2203	145	Multiple Dependent claim, if not paid																																																																																																																																																				
1204	65	2204	43	**Reissues independent claims over original patent																																																																																																																																																				
1205	18	2206	8	**Reissues claims in excess of 20 and over original patent																																																																																																																																																				
* For number previously paid, if greater. For Reissues, see below		0.00		SUBTOTAL (3) (\$)																																																																																																																																																				

Based on PTO/SB/17 (08-03) as modified by ~~Markley, Cookoff, Taylor & Zafman (M)~~ 08/11/2003.

Attorney's Docket No.: 042390.P12299

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Jean-Marc Verdiell et al.

Serial No.: 10/077436

Filed: February 14, 2002

For: AN OPTOELECTRONIC ASSEMBLY

Examiner: Son V. Nguyen

Art Group: 2839

RECEIVED
CENTRAL FAX CENTER

NOV 12 2003

OFFICIAL

AMENDMENT AND RESPONSE TO OFFICE ACTION

Mail Stop Non-Fee Amendment
Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to an Office Action mailed September 12, 2003, Applicant respectfully requests entry of the following amendments.